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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/436,749	11/09/1999	JAMES R. WALKER	490334-016	7092

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EXAMINER

YUAN, ALMARI ROMERO

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/436,749

Applicant(s)

WALKER, JAMES R.

Examiner

Almari Yuan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 6/30/04.
2. The objection of the Abstract has been withdrawn as necessitated by amendment.
3. Claims 1-12 are pending in the case. Claims 1, 5, 7, 8, 9, and 12 are independent claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paknad et al. (USPN 5,832,530 – filed 06/1997) in view of Motoyama (USPN 5,319,748 – issued 06/1994).**

Regarding independent claim 1, Paknad discloses

monitoring first text string and second string defined a first and second page description language text command in the specification for first and second special character or special string of characters, the first and second special character or the first and second special string of characters being indicative of a first and second special attribute (Paknad on col. 2, lines 50-55 teaches monitoring a first and second text string defined by a PDL file).

However, Paknad does not explicitly disclose “identification of a path defined by PDL path command relationship.

Motoyama on col. 10, lines 4-10 teaches picture and pageset management whereby a hierarchy is identified by a stack memory which provides a search path regarding pagesets.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have applied Motoyama into Paknad, because of Motoyama's taught advantage of path identification to provide a way of tracking variables to Paknad.

Regarding dependent claim 2, Paknad discloses:

predetermined relationship is satisfied by the path command being the first path command to follow the text command in the specification (Paknad on col. 3, lines 33-66 teaches text segments that are identified by interpretation of PDF commands).

Regarding dependent claim 3, Paknad discloses:

predetermined relationship is satisfied by the path command being grouped with the text command in the specification (Paknad on col. 3, lines 32-41 teaches text segments identified by interpretation of grouped PDF commands).

Regarding dependent claim 4, Motoyama discloses:

special attribute is associated with a first merge file and wherein the second special attribute is associated with a second merge file (Motoyama on col. 3, lines 38-45 teaches combining the content and structure within a pageset).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have applied Motoyama into Paknad because taught advantage of margining, providing a way to combine the elements of Paknad.

Regarding independent claim 5, Paknad does not explicitly disclose "designating a path defined in a page description language specification as a wrapping path". Motoyama on col. 10,

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lines 4-10 teaches picture and pageset management whereby a hierarchy is identified by a stack memory which provides a search path regarding pagesets. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have applied Motoyama into Paknad, because of Motoyama's taught advantage of path identification to provide a way of tracking variables to Paknad.

processing the specification to produce a template bitmap, the template bitmap being a bitmap or raster-data representation of a template image defined in the specification (Paknad on col.1, lines 29-31 teaches characters codes can be rendered into bitmaps and/or pixel maps; wherein a bitmap is a data structure);

associating a block of text (Paknad on col. 8, lines 25-30 teaches associating a block of text);

associating an external bitmap (Paknad on col. 3, lines 7-11 teaches a boundary);

external bitmap boundary to the wrapping-path boundary, forming a composite boundary; and a boundary and a predefined flow rule (Paknad on col. 11, lines 20-27 teaches a bitmap representation using a boundary and rules; compare with claim 5(e-g)).

However, Paknad does not explicitly disclose merging files. Motoyama on col. 3, lines 40-45 teaches combining the content and structure within a pageset). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have applied Motoyama into Paknad because taught advantage of margining, providing a way to combine the elements of Paknad.

Regarding dependent claim 6, claim 6 incorporates substantially similar subject matter as claimed in claim 5 and is rejected under the same rationale.

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Regarding independent claim 7, Paknad does not explicitly disclose “designating a path defined in a page description language specification as a wrapping path”. Motoyama on col. 10, lines 4-10 teaches picture and pageset management whereby a hierarchy is identified by a stack memory which provides a search path regarding pagesets. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have applied Motoyama into Paknad, because of Motoyama’s taught advantage of path identification to provide a way of tracking variables to Paknad.

having a boundary (Paknad on col. 3, lines 7-11 teaches a boundary);

defining first and second graphics states for the path (Paknad on col. 1, lines 29-31 teaches a graphic state);

associating a text file with the wrapping path, the text file including a first block of text separated from a second block of text (Paknad on col. 8, lines 25-30 teaches associating a text file);

processing the specification to produce a template bitmap, the template bitmap being a bitmap or raster-data representation of a template image defined by the specification (Paknad on col.1, lines 29-31 teaches characters codes can be rendered into bitmaps and/or pixel maps; wherein a bitmap is a data structure);

creating first and second bitmap representation of the first and second block of text by applying first and second graphics states to the first and second block of text; according to the boundary and according to the predefined flow rule, into the template bitmap (Paknad on col. 11, lines 20-27 teaches a bitmap representation using a boundary and rules).

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However, Paknad does not explicitly disclose merging files. Motoyama on col. 3, lines 40-45 teaches combining the content and structure within a pageset). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have applied Motoyama into Paknad because taught advantage of margining, providing a way to combine the elements of Paknad.

Regarding independent claim 8, claim 8 incorporates substantially the same subject matter as claimed in claim 7 and is rejected under the same rationale.

Regarding independent claim 9 (and dependent claims 10-11), Paknad does not explicitly disclose “designating a path defined in a page description language specification as a wrapping path”. Motoyama on col. 10, lines 4-10 teaches picture and pageset management whereby a hierarchy is identified by a stack memory which provides a search path regarding pagesets. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have applied Motoyama into Paknad, because of Motoyama’s taught advantage of path identification to provide a way of tracking variables to Paknad.

having a boundary (Paknad on col. 3, lines 7-11 teaches a boundary);

defining graphics state (Paknad on col. 1, lines 29-31 teaches a graphic state);

processing the specification to produce a template bitmap, the template bitmap being a bitmap or raster-data representation of a template image defined by the specification (Paknad on col.1, lines 29-31 teaches characters codes can be rendered into bitmaps and/or pixel maps; wherein a bitmap is a data structure);

associating a text block with the wrapping path, the text blocks including a plurality of words and delimiter (Paknad on col. 8, lines 25-30 teaches associating a text file);

creating bitmap representation of the block of text by applying graphics state to the block of text; merging the bitmap representation of the text, according to the boundary and according to the predefined flow rule and according to the delimiter, into the template (Paknad on col. 11, lines 20-27 teaches a bitmap representation using a boundary and rules).

However, Paknad does not explicitly disclose merging files. Motoyama on col. 3, lines 40-45 teaches combining the content and structure within a pageset). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have applied Motoyama into Paknad because taught advantage of margining, providing a way to combine the elements of Paknad.

Regarding independent claim 12, Paknad does not explicitly disclose “designating a path defined in a page description language specification as a wrapping path”. Motoyama on col. 10, lines 4-10 teaches picture and pageset management whereby a hierarchy is identified by a stack memory which provides a search path regarding pagesets. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have applied Motoyama into Paknad, because of Motoyama’s taught advantage of path identification to provide a way of tracking variables to Paknad.

having a boundary (Paknad on col. 3, lines 7-11 teaches a boundary);

defining graphics state (Paknad on col. 1, lines 29-31 teaches a graphic state);

processing the specification to produce a template bitmap, the template bitmap being a bitmap or raster-data representation of a template image defined by the specification; (Paknad on col.1, lines 29-31 teaches characters codes can be rendered into bitmaps and/or pixel maps; wherein a bitmap is a data structure);

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associating a text block (Paknad on col. 8, lines 25-30 teaches associating a text file and a template);

creating bitmap representation of the block of text by applying graphics state to the block of text; merging the bitmap representation of the text, according to the boundary and according to the predefined flow rule, into the template bitmap (Paknad on col. 11, lines 20-27 teaches a bitmap representation using a boundary and rules).

However, Paknad does not explicitly disclose merging files. Motoyama on col. 3, lines 40-45 teaches combining the content and structure within a pageset). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have applied Motoyama into Paknad because taught advantage of margining, providing a way to combine the elements of Paknad.

Response to Arguments

6. Applicant's arguments filed 6/30/04 have been fully considered but they are not persuasive.

Regarding Applicant's remarks on pages 4-5:

Applicant argues that Paknad does not teach monitoring of a PDL text command for a special character string whose presence would be indicative of some special attribute or does not look for any characters or strings of particular significance.

Paknad discloses identifying x coordinate and y coordinate of a text segment to indicate where the text segment is to be displayed on the displayed page. Furthermore, Paknad discloses

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the text segment comprises of one or more characters; wherein the characters within the text segment are analyzed to created a word list (see col. 2, lines 50-60). Therefore, Paknad does teach looking or monitoring for characters or strings indicate of a special attribute or particular significance.

Regarding Applicant's remarks on page 6:

Applicant argues that Motoyama does not teach anything about identifying path (or other attribute) having a predetermined relationship with a text command.

Motoyama discloses defining the search path by the list of stored pointers (col. 10, lines 4-10) in relation to the pagesets defined within the document (see Abstract). Therefore, Motoyama does disclose identifying a path.

Regarding Applicant's remarks on page 6:

Applicant argues that Paknad does not address any predetermined relationship of commands to one another.

Paknad discloses text segments are identified and the associated position data retrieved by interpreting commands of the document; wherein the text segments are stored in the document (see col. 3, lines 33-66). Therefore, Paknad does disclose the relationship of commands to one another.

Regarding Applicant's remarks on page 7:

Applicant argues neither Paknad nor Motoyama addresses any special attribute...associated with first (or second) merge file.

Motoyama discloses tokensequence which contains specifics tokens or commands for defining images is called content while other elements are structure; wherein the combination of tokens or commands as content and elements as structure forms the pageset body (col. 3, lines 38-45) . Therefore, Motoyama does address special attribute associated with first (or second) merge files.

Regarding Applicant's remarks on pages 8 and 15:

Applicant argues that Motoyama does not suggest designating an area on a page template as a path into which text or graphics will be inserted and does not discuss designating any such path area as a wrapping path into which text can be flowed.

Motoyama discloses defining a search path by the stored linked pointers in relation to pagesets (see col. 10, lines 4-10); wherein the stored linked pointers identifies the ordered hierarchy of the pageset (see col. 9, lines 50-52). Therefore, Motoyama does suggest pointing to an area within the ordered hierarchy of the pageset by the use of the search path.

Regarding Applicant's remarks on page 8:

Applicant argues that Paknad does not produce a template of the fixed items on a page that is rasterized into a bitmap separately from any variable data paths on the page.

Paknad discloses the characters codes can be rendered as bitmaps or pixel maps (col. 1, lines 29-31). Furthermore, Paknad discloses raster output device that can produce an image by

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displaying array of pixels arranged in rows and columns from the pixel map; wherein the bitmap of the coded object can be inserted into the pixel map for display (col. 1, lines 34-61).

Therefore, Paknad can produce a template of items that is rasterized into a bitmap.

Regarding Applicant's remarks on pages 9, 13, and 15:

Applicant argues that Paknad does not mention paths or wrapping paths.

Paknad discloses text segment is surrounded by the four points of the bounding box (see col. 14, lines 41-52). Therefore, Paknad discloses wrapping path.

Motoyama discloses defining the search path (col. 10, lines 4-10). Therefore, Motoyama does disclose identifying a path.

Regarding Applicant's remarks on pages 9, 10, 12, 14, and 16:

Applicant argues that Paknad does not perform any merging or inserting of bitmaps or data objects.

Motoyama discloses tokensequence which contains specifics tokens or commands for defining images is called content while other elements are structure; wherein the combination of tokens or commands as content and elements as structure forms the pageset body (col. 3, lines 38-45) . Furthermore, the pageset body can consist of pictures (col. 3, lines 38-40 and col. 5, lines 45-47) Therefore, Motoyama does perform combining content and structure to form pageset body.

Regarding Applicant's remarks on pages 12, 14, and 16:

Applicant argues that Paknad does not teach associating text files with the wrapping path.

Paknad discloses text segment associated with a single display command to specify the display coordinates (col. 8, lines 25-30). Furthermore, Paknad discloses text segment is surrounded by the four points of the bounding box (see col. 14, lines 41-52). Therefore, Paknad discloses associating text files with the wrapping path.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Yuan whose telephone number is 571-272-4104. The examiner can normally be reached on Mondays - Fridays (8:30am - 5:00pm).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AY
December 27, 2004


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER